:Complementary- Claim –E: pp 2: in the nature of the **Foreign Agent Act of 1938** ForeignAgentAct-1938-AD; 53 Stat 631, Chap. 327. Registration of certain-persons: foreign-propaganda –

such recommendation shall be sufficient to authorize the court to enter an order declaring such person to be restored to his or her former legal status as a person of sound mind. In the event the Commission shall find such person to be of unsound mind, it shall report that finding to the court. Upon the filing by the Commission of a report finding such person to be of unsound mind, the insane person shall have the right to a hearing by the court or by the court and a jury. For the purpose of making the examination and observations required by this section the Commission shall have the right to examine the records and to interrogate the physicians and attendants at Saint Elizabeths Hospital or any other hospital in which such patient shall have been confined, who have had the insane person under their care, and the Commission may recommend to the court the temporary recommitment, for a period of not more than thirty days, of such person for purposes of observation, and the court is hereby empowered to order the temporary recommitment of such person for said purpose. At such trial by the court or by the court and a jury, an adjudication shall be made as to whether the person is of sound mind or is still of unsound mind.

If Commission finds person to be of unsound mind.
Right to hearing.
Adjudication.

SEC. 13. The same fees and mileage as are paid in the courts of the United States shall be paid in the case of witnesses subpenaed under the provisions of this Act.

Witnesses, fees and mileage.

SEC. 14. The court in its discretion may require the petitioner to file an undertaking with surety to be approved by the court in such amount as the court may deem proper, conditioned to save harmless the respondent by reason of costs incurred, including attorney's fees, if any, and damages suffered by the respondent as a result of any such action.

Petitioner may be required to file undertaking with surety.

SEC. 15. Any person who executes a verified petition or affidavit as provided in this Act, by which he or she secures or attempts to secure the apprehension, detention, or restraint of any other person in the District of Columbia without probable cause for believing such person to be insane or of unsound mind, or any physician who knowingly makes any false certificate or affidavit, as to the sanity or insanity of any other person shall, upon conviction thereof, be fined not more than $500 or imprisoned not more than three years, or both.

Penalty provisions.

SEC. 16. All Acts or parts of Acts in conflict herewith are hereby repealed.

Repeal of conflicting Acts, etc.

SEC. 17. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Separability of provisions.

Approved, June 8, 1938.

[CHAPTER 327]

AN ACT

To require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes.

June 8, 1938
[H. R. 1591]
[Public, No. 583]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Dissemination of propaganda in the United States.

That as used in this Act—

Terms defined.

(a) The term "person" means an individual, partnership, association, or corporation;

"Person."

(b) The term "United States" includes the United States and any place subject to the jurisdiction thereof;

"United States."

(c) The term "foreign principal" means the government of a foreign country, a political party of a foreign country, a person domi-

"Foreign principal."

73

ciled abroad, or any foreign business, partnership, association, corporation, or political organization;

"Agent of a foreign principal."

(d) The term "agent of a foreign principal" means any person who acts or engages or agrees to act as a public-relations counsel, publicity agent, or as agent, servant, representative, or attorney for a foreign principal or for any domestic organization subsidized directly or indirectly in whole or in part by a foreign principal.

Persons not included.

Such term shall not include a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State of the United States, nor a person, other than a public-relations counsel, or publicity agent, performing only private, non-political, financial, mercantile, or other activities in furtherance of the bona fide trade or commerce of such foreign principal;

"Secretary."

(e) The term "Secretary" means the Secretary of State of the United States.

Filing of registration statement with the Secretary.

SEC. 2. Every person who is now an agent of a foreign principal shall, within thirty days after this Act takes effect, and every person who shall hereafter become an agent of a foreign principal shall forthwith file with the Secretary a registration statement, under oath, on a form prescribed by the Secretary which shall set forth—

Facts to be set forth.

Registrant's name, address, etc.

(a) The name, business address, and residence address of the registrant;

Name of foreign principal, etc.

(b) The name of the foreign principal or other person or organization for which such person is acting as agent;

Copies of contracts of employment.

(c) A copy of all contracts of employment under which such person acts or agrees to act as such agent, if written, or a full statement of the terms and conditions thereof, if oral;

Date of contract, and commencement of activity thereunder; duration.

(d) The date when each such contract was made, the date of commencement of activity thereunder, and the period during which such contract is to be in effect;

Compensation.

(e) The compensation to be paid, if any, and the form and time of payment, under such contract;

Names of all contributors to said compensation.

(f) The name of every foreign principal, or other person or organization which has contributed or which has promised to contribute to the compensation provided in such contract; and

Copies of certain instruments if registrant be a partnership or corporation.

(g) If the registrant be a partnership, association, or corporation, a true and complete copy of its charter, articles of incorporation, copartnership, association, constitution, and bylaws, and any other instrument or instruments relating to its organization, powers, and purposes.

Information to be supplied at end of six months' period.

SEC. 3. Every person who has filed a registration statement required by section 2 shall, within thirty days after the expiration of such period of six months succeeding the first filing, file with the Secretary a statement, under oath, on a form prescribed by the Secretary, which shall set forth with respect to such preceding six months' period—

Facts to make information accurate and current.

(a) Such facts as may be necessary to make the information required under section 2 hereof accurate and current with respect to such period;

Amount and form of compensation received as agent.

(b) The amount and form of compensation received by such person for acting as agent for a foreign principal which has been received during such six months' period either directly or indirectly from any foreign principal; and

Statement containing details of activities during period.

(c) A statement containing such details required under this Act as the Secretary shall fix, of the activities of such persons as agent of a foreign principal during such six months' period.

Preservation of statements; status as public records.

SEC. 4. The Secretary shall retain in permanent form all statements filed under this Act, and such statements shall be public records and open to public examination and inspection at all reasonable hours, under such rules and regulations as the Secretary may prescribe.

74

Penalty provisions.

SEC. 5. Any person who willfully fails to file any statement required to be filed under this Act, or in complying with the provisions of this Act, makes a false statement of a material fact, or willfully omits to state any material fact required to be stated therein shall, on conviction thereof, be punished by a fine of not more than $1,000 or imprisonment for not more than two years, or both.

Rules and regulations.

SEC. 6. The Secretary is authorized and directed to prescribe such rules, regulations, and forms as may be necessary to carry out this Act.

Effective date.

SEC. 7. This Act shall take effect on the ninetieth day after the date of its enactment.

Approved, June 8, 1938.

[CHAPTER 328]

AN ACT

To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes.

June 8, 1938
[H. R. 10140]
[Public, No. 584]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended and supplemented: The sum of $100,000,000 for the fiscal year ending June 30, 1940, and the sum of $115,000,000 for the fiscal year ending June 30, 1941.

Federal Aid Highway Act of 1938.
39 Stat. 355.
23 U. S. C. §§ 1–25; Supp. III, ch. 1.

Appropriations authorized for fiscal years 1940 and 1941.

(a) All sums herein or hereafter authorized and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act (42 Stat. 217).

Availability of sums for expenditure.

Reapportionment of unexpended sums.

42 Stat. 217.
23 U. S. C. § 21.

(b) Beginning with the fiscal year ending June 30, 1940, the District of Columbia shall be entitled to share in all sums herein or hereafter authorized and apportioned to the States, upon the same terms and conditions as any of the several States, and the District of Columbia shall be included in the calculations to determine the basis of apportionment of such funds: *Provided*, That the system of roads on which Federal-aid apportionments to the District of Columbia shall be expended may be determined and agreed upon by the highway department of the said District and the Secretary of Agriculture without regard to the limitations in section 6 of the Federal Highway Act (42 Stat. 213) respecting the selection and designation of such system of roads; and, when the system first determined and agreed upon shall have been completed, additions thereto may be made in like manner as funds become available for the construction of such additions.

Inclusion of District of Columbia in apportionment beginning with fiscal year 1940.

Proviso.
Determination of system of roads.

42 Stat. 213.
23 U. S. C. § 6.
Additions.

(c) Hereafter the construction of highways by the States with the aid of Federal funds may include such roadside and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to provide for the suitable accommodation of the public, all within the highway right-of-way and adjacent publicly owned or controlled recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic, as may be approved by the Secretary of Agriculture.

Roadside and landscape development.

75